

# T H E C A S E O F

*Sir Robert Killigrew, Thomas Wyndham, William Killigrew,  
Henry Heron, and Edward Heron,*

*Drainers and Participants of Lindsey Levell, in Lincolnshire,  
Claiming under the late Earl of Lindsey.*

**T**H E R E being several Fenn-lands, in the County of *Lincoln*, subject to Inundations, and hurtfully surrounded with Water, to the Prejudice of this Kingdom; several Attempts were made for Draining the same, by divers Persons, by Virtue of Commissions of Sewers, issued out in the Reigns of many of the Kings of this Realm, before the Reign of King *Charles* the First.

That it then appearing, That the Charge necessary for Draining, was insupportable to the People, by Law subject to pay the same; and that those Taxes which had been laid, by Virtue of the Commissioners of Sewers, then to fore issued, could not be Paid or Levied;

5 Car. I.

The then Commissioners of Sewers did represent the same to the King, and intreat Him to Name some Undertaker, who could and would Enterprize and Effect the same. And He was pleased to recommend *Robert* late Earl of *Lindsey*.

That the Lords of Manners, Free-holders, Land-holders, and Commoners, in and near the said Fenn-lands, did Contract with the said Earl and his Participants in the said Undertaking, that he should have Four and twenty thousand Acres of the said Lands, for Draining all between *Bourne* and *Lincoln*; and as soon as he had finish'd the most difficult part, (*viz.*) that between *Bourne* and *Kine*, he should have fourteen thousand Acres, as a proportionable part.

That the Commissioners of Sewers were to be Judges, when he had perform'd the same.

That the said Earl, and his Participants, proceeded with such Effect, that they made a River Navigable, from *Bourne* to *Boston*, being four and twenty Miles; and thereby, and by other Ways and Means by him and them used, with the Expence of seventy thousand Pounds, effectually performed the said Undertaking.

13 Car. I.

That the Commissioners apportion'd his, and his Participant's Share out of each Fenn.

13 Car. I.

They ascertained the Place where this Share lay in each Fenn.

14 Car. I.

These were Confirmed, and the Royal Assent Inrolled; and the same Year, upon a View by Commissioners, Possession Decreed, and Royal Assent Inrolled.

That the said Earl, and his Participants thus legally invested, and, as they thought, secured, entred and enjoyed the said Lands, allotted them for their great Trouble and Expence; and in pursuance of their Contract (though far short of making them a Recompence) built Houses thereon, and Inclosed, Planted, Sowed and Improved the said allotted Lands.

That the Troubles of that King's Reign growing on, some ill-disposed Persons took Advantage thereof, and disturbed their Possession, and at length, by Violence, broke in upon them, and destroyed their Plantations, and demolished their Houses, and dispossessed the said Undertakers.

That upon the Restauration, such of the Undertakers who were then living, and the Heirs of those who were dead, despairing (by reason of the Variety of their Claims, and the Multitude of the Wrong-doers) to come at a Satisfaction for the Injury sustained by the ordinary Methods of Law.

To avoid being suspected of Vexation, and that all Persons concerned, might have some Right done them, and their Interest established for the future, did apply themselves to the Parliament, for Redress:

And once the same and all Differences relating thereto, except the Judicature for the future, were Agreed to at the Bar of this Honourable House, when the sudden End of that Session prevented the Passing the said Bill.

And now the Petitioners humbly hope they shall have their Grievances Redress'd, and that this House will have due Consideration of the Merits of the said Undertakers, in Draining the said Levell, whereby the Publick is to be benefited.

A quick Hearing, and the Judgment of this Parliament, is now therefore humbly desired by the Drainers, (who have been so long delayed by such Persons, who have hitherto ~~obscured~~ *obscured* the Justice and Judgment of Parliament;) so that by such speedy Hearing, the said



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And therefore Hope the Bill shall Pass.